

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

ZHENG ET AL.

CASE NO: CL2221 US NA

SERIAL NO: 10/716,346

GROUP ART UNIT: 1634

FILED: NOVEMBER 18, 2003

EXAMINER: B. FORMAN

FOR: DISPERSION OF CARBON  
NANOTUBES BY NUCLEIC ACIDS

**DECLARATION UNDER 37 C.F.R. § 1.132**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Ming Zheng, declare that:

I am a citizen of the United States of America and reside at 417 Harrison Drive, Hockessin, DE 19707.

I am a Research Associate at E.I. du Pont de Nemours and Company ("DuPont"), where I have worked since 2000.

I received a B.S. in Electronics from Peking University, an M.S. in Physics from the University of Utah, and a Ph.D. in Chemistry from Princeton University.

I am a co-inventor of the above-identified patent application.

The following are my remarks:

1. The claims in this application have been rejected in an Office Action dated April 24, 2008 ("this Office Action").
2. I am familiar with the contents of this Office Action and understand that this declaration is being submitted in response to this Office Action to address the obviousness rejections.
3. I attach herewith as Exhibit 1 my laboratory's paper published in Nature Materials, which describes the research covered by claims 21-24 and 27 of the above-identified patent application. With an ISI Impact Factor of 19.194, Nature

Materials is considered one of the top journals, if not the top journal, in the field of materials science. Indeed, with such a high Impact Factor, the journal is one of the most important across all related physical sciences. Thus, the acceptance and publication of our work in this journal are indications of the importance and how cutting edge our research was.

4. Indeed, during the two-year period from July 2005 – July 2007, in the materials science field, our Nature Materials paper was the second most cited paper in the entire field, with 66 other journal articles citing this one paper. The report of this accomplishment is also attached herewith as Exhibit 2.

5. Exhibit 3 is a description of research by an NIST (National Institute of Standards and Technology) laboratory based upon “use [of] single-stranded DNA (ssDNA) to disperse the CNTs as pioneered by Zheng and coworkers at Dupont” (Abstract).

6. Exhibit 4 is a Physorg.com report detailing DuPont’s \$1.25 million grant from the National Science Foundation in collaboration with Lehigh University and MIT. The basis of this collaboration is the extension of the research in the Nature Materials paper that was eventually published in Science. As noted in the fourth paragraph of the Physorg.com report, this work was cited by Forbes magazine “as one of the top five nanotechnology breakthroughs of 2003” (attached herewith as Exhibit 5).

7. I declare that all statements made herein are either based on my own knowledge and are true, or if based on information and belief are believed to be true. I also declare that all statements were made with knowledge that willful false statements, and the like, are punishable by either fine, or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and any such willful false statements may jeopardize the validity of either the patent application, or any patent issuing thereon.

By:



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Ming Zheng, Ph.D.

Dated: 6/5/08